UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,422	05/30/2001	Arun P. Gupta	SUN-P6466	9273

7590 03/23/2005	EXAMINER
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ART UNIT	PAPER NUMBER
2176	

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DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _03 November 2004_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-14_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-14_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
    application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Amendment filed on 11/03/04.

2.   Claims 1-14 are pending in the case. Claims 1, 7, 8, and 14 are independent claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   **Claims 1, 6-8, and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over Sonnenfeld (USPN 6,112,049 – filed on 10/1997) in view of Lection et al. (USPN

6,418,446 B1 – filed 03/1999).

Regarding independent claims 1, 7, 8, and 14, Sonnenfeld discloses:

A method for generating a question document and an answer document from a database of

questions, the database of questions and answers contained in an markup language document,

wherein the questions and answers are divided into sections (Sonnenfeld on col. 2, lines 10-17;

lines 26-31, lines 46-30 and col. 3, lines 46-52: teaches generating tests, quizzes, and

questionnaire into HTML by formulating questions and answers into sections; wherein the

questions and answers are stored in a database retrieval system), the method comprising:

        prompting a user to indicate a number for each of the sections, said number representing

how many questions from each of the sections should be chosen; randomly selecting a number

of nodes from each of the sections (Sonnenfeld on col. 21, lines 32-65; col. 28, lines 12-19, lines

32-36, line 58 - col. 29, line 34: teaches the user can indicate a number of sections to give for the

text and if the sections should be given out randomly; furthermore, the user can indicate a

number of questions should be given out per section and can determine if the questions should be

asked randomly. On col. 6, lines 27-29, col. 9, lines 31-37, and col. 27, lines 26-29 teaches

randomly selecting questions or sections).

Further, Sonnenfeld does disclose "database of questions and answers", on col. 3, lines

46-52 teaches providing a database of building blocks of the test and on col. 2, lines 4-6 teaches

building blocks can be grouped in various sequences to create a question and answer response

system.

However, Sonnenfeld does not explicitly disclose "creating a first Document Object

Model (DOM) tree from the extensible markup language document, said DOM tree containing

nodes" and "making and refining a second DOM tree".

Lection does disclose "creating a first DOM tree from a XML document, said DOM tree

containing nodes" and "making and refining a second DOM tree", on col. 9, line 52 – col. 10,

line 53, see Abstract: teaches a DOM tree is created from an XML document (can be also applied

to HTML) to create a another separate DOM tree to restructure the output data, in other words, a

second DOM tree is created and refined (restructured) for output. The DOM tree contains nodes

which represents the hierarchical representation of the document structure and its contents.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Lection into Sonnenfeld to provide a way to create a DOM

tree and then make another separate DOM tree to restructure the data for output, as taught by

Lection, incorporated into the question and answer data in HTML format, as taught by

Sonnenfeld, in order to easily and efficiently accommodate format changes of the data without

having to modify the code each time the data changes.

Regarding dependent claims 6 and 13, Lection discloses:

wherein said creating a first DOM tree from the extensible markup language document

includes using a parsing tool (Lection on col. 10, lines 3-53 teaches parsing XML file to create a

DOM tree).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Lection into Sonnenfeld to provide a way to create a DOM

tree and then make another separate DOM tree to restructure the data for output, as taught by

Lection, incorporated into the question and answer data in HTML format, as taught by

Sonnenfeld, in order to easily and efficiently accommodate format changes of the data without

having to modify the code each time the data changes.

5.   **Claims 2-5 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Sonnenfeld and Lection, as applied to claims 1, 7-8, and 14 above, and further in view of

Wanderski et al. (USPN 6,519,617 B1 - filed 04/1999).

Regarding dependent claims 2 and 9, Sonnenfeld and Lection disclose the invention

substantially as claimed as described above. However, Sonnenfeld and Lection do not explicitly

disclose "porting a word processing document into extensible markup language format using a

predefined Document Type Definition (DTD)".

Wanderski does disclose "porting a word processing document into XML format using DTD", on col. 2, lines 2-8 teaches when the user wishes to display a document formatted into XML; the parser uses the DTD file to determine how to process the contents of the XML document. The DTD is also applied with HTML and SGML (see col. 1, line 26 – col. 2, line 3).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Wanderski into Sonnenfeld and Lection to provide a way to process contents within a XML document using the DTD file, as taught by Wanderski, incorporated into the HTML document of Sonnenfeld and Lection, in order display the encoded document containing a valid syntax of elements.

Regarding dependent claims 3 and 10, Wanderski discloses:

wherein the extensible markup language document is in a format defined by a DTD, said DTD splitting the questions and answers into sections, defining the questions as elements and the answers as attributes to said elements (Wanderski on col. 1, lines 51-62 teaches the DTD tells the parser that the elements within the document are valid syntax and defines the sub elements within these elements).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Wanderski into Sonnenfeld and Lection to provide a way to process contents within a XML document using the DTD file, as taught by Wanderski, incorporated into the HTML document of Sonnenfeld and Lection, in order display the encoded document containing a valid syntax of elements.

Regarding dependent claims 4 and 11, Wanderski discloses:

wherein said refining includes applying an style sheet language transformation to said

second DOM tree (Wanderski on col. 11, lines 40-43 teaches applying a transformation script for

the modified tags in the DOM tree).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Wanderski into Sonnenfeld and Lection to provide a way

to process contents within a XML document based on a DOM tree, as taught by Wanderski,

incorporated into the HTML document of Sonnenfeld and Lection, in order facilitate the

transformation of elements within a document for display.

Regarding dependent claims 5 and 12, Wanderski discloses:

wherein said stylesheet language transformation creates the question document in a web

presentation language and the answer document in said web presentation language (Wanderski

on col. 9, lines 22-28 teaches using transformation scripts to generate a document for

presentation to the user).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Wanderski into Sonnenfeld and Lection to provide a way

to process contents within a XML document based on a DOM tree, as taught by Wanderski,

incorporated into the HTML document of Sonnenfeld and Lection, in order facilitate the

transformation of elements within a document for display.

Response to Arguments

6.   Applicant's arguments filed 11/03/04 have been fully considered but they are not

persuasive.

Regarding Applicant's remarks on pages 9-11:

Applicant argues that Sonnenfeld does not teach selecting question randomly to create a

document.

Sonnenfeld is an automated testing system allowing design and administration of

hierarchical testing scheme (col. 1, lines 56-58). The system provides a database of building

blocks of the test (col. 3, lines 46-52) and wherein the building blocks can be grouped in various

sequences to create a question and answer response system (on col. 2, lines 4-6).

Further, Sonnenfeld system has the capability in randomly selecting questions to facilitate

the creation of the test (see col. 6, lines 27-29, col. 9, lines 31-37, col. 27, lines 26-29).

Applicant argues that Sonnenfeld does not concern with data formats.

Sonnenfeld teaches formatting a test as an HTML document (on col. 11, lines 46-49).

Applicant argues the combination of Sonnenfeld and Lection.

Sonnenfeld teaches a hierarchical testing scheme comprising of building blocks such as

sections to create a question and answer response system (col. 1, line 58, col. 2, lines 1-10).

Further, Sonnenfeld teaches each section to be displayed can be defined by HTML and to be

collected into a web page (col. 2, lines 50-52).

Lection teaches the structure of a XML document is defined by the DOM tree; wherein

DOM can be applied to both HTML and XML (col. 10, lines 3-34).

Therefore, it would have been obvious have modified Lection into Sonnenfeld to provide

a DOM tree that defines the structure of a document, as taught by Lection, incorporated into the

HTML document of Sonnenfeld.

Regarding Applicant's remarks on page 12:

Applicant argues that Wanderski fails to teach porting a word processing document in

XML format.

Wanderski teaches translating an input document into XML (see Abstract). Further,

Wanderski teaches a document can be encoded into XML format (on col. 2, lines 2-8).

Therefore, it would have been obvious have modified Wanderski into Sonnenfeld and

Lection to provide a document encoded in XML format, as taught by Wanderski, incorporated

into the HTML document of Sonnenfeld and Lection.

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Almari Yuan whose telephone number is 571-272-4104. The

examiner can normally be reached on Mondays - Fridays (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Feild, can be reached on 571-272-4090. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AY
March 20, 2005

SANJIV SHAH
PRIMARY EXAMINER